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FAIR POLITICAL PRACTICES COMMISSION
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Attorney for Complainant

BEFORE THE FAIR POLITICAL PRACTICES COMMISSION

STATE OF CALIFORNIA

In the Matter of) FPPC No. 10/485
)
)
DAN K. WATERS,) STIPULATION, DECISION and
) ORDER
)
)
Respondent.)

Complainant Roman G. Porter, Executive Director of the Fair Political Practices Commission, and Respondent Dan Waters, hereby agree that this Stipulation will be submitted for consideration by the Fair Political Practices Commission at its next regularly scheduled meeting.

The parties agree to enter into this Stipulation to resolve all factual and legal issues raised in this matter and to reach a final disposition without the necessity of holding an administrative hearing to determine the liability of Respondent.

Respondent understands, and hereby knowingly and voluntarily waives, any and all procedural rights set forth in Sections 83115.5, 11503 and 11523 of the Government Code, and in Section 18361.1 through 18361.9 of Title 2 of the California Code of Regulations. This includes, but is not limited to, the right to personally appear at any administrative hearing held in this matter, to be represented by an attorney at Respondent's own expense, to confront and cross-examine all witnesses testifying at the hearing, to subpoena witnesses to testify at the hearing, to have an impartial administrative law judge preside over the hearing as a hearing officer, and to have the matter judicially reviewed.

1 It is further stipulated and agreed that Respondent Dan Waters violated the Political Reform Act
2 by attempting to use his official position to influence a governmental decision in which he had a
3 financial interest, in violation of Section 87100 (1 count), as described in Exhibit 1, which is attached
4 hereto and incorporated by reference, as though fully set forth herein. Exhibit 1 is a true and accurate
5 summary of the facts in this matter.

6 Respondent agrees to the issuance of the Decision and Order, which is attached hereto.
7 Respondent also agrees to the Commission imposing upon him an administrative penalty in the amount
8 of Two Thousand Five Hundred Dollars (\$2,500). A cashier's check from Respondent in said amount,
9 made payable to the "General Fund of the State of California," is submitted with this Stipulation as full
10 payment of the administrative penalty, to be held by the State of California until the Commission issues
11 its Decision and Order regarding this matter. The parties agree that in the event the Commission refuses
12 to accept this Stipulation, it shall become null and void, and within fifteen (15) business days after the
13 Commission meeting at which the Stipulation is rejected, all payments tendered by Respondent in
14 connection with this Stipulation shall be reimbursed to Respondent. Respondent further stipulates and
15 agrees that in the event the Commission rejects the Stipulation, and a full evidentiary hearing before the
16 Commission becomes necessary, neither any member of the Commission, nor the Executive Director,
17 shall be disqualified because of prior consideration of this Stipulation.

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19 Dated: _____

Roman G. Porter, Executive Director
Fair Political Practices Commission

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22 Dated: _____

Dan Waters

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DECISION AND ORDER

The foregoing Stipulation of the parties “In the Matter of Dan Waters, FPPC No. 10/485,” including all attached exhibits, is hereby accepted as the final Decision and Order of the Fair Political Practices Commission, effective upon execution below by the Chairman.

IT IS SO ORDERED.

Dated: _____

Ann Ravel, Chair
Fair Political Practices Commission